

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45318 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

DINESH MAHTO S/O RAMAYAN MAHTO R/O VILLAGE- GAMHARI,
P.S- BAIKUNTHPUR, DISTT.- GOPALGANJ, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Majhulia P. S. Case No. 749 of 2023 in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354(B) and 34 of the Indian Penal Code .

3 . As per the prosecution case, this petitioner assaulted informant by means of bamboo due to which informant sustained multiple injuries.

4. Learned counsel for the petitioner submits that both the parties are agnates and due to land dispute , this petitioner has falsely been implicated in this case . The alleged incidence is said to have been taken place on 13.02.2024 but the instant F.I.R., has been loidged on 26.02.2024 i. e ., after the lapse of 13



days for which there is no plausible explanation which itself creates doubt over the entire prosecution case . Petitioner is in custody since 14.03.2024. Charge-sheet has already been submitted. Petitioner claims clean antecedent.

5 . Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the fact that petitioner claims clean antecedent and his period of custody and there is 13 days delay in lodging the F.I.R., the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P. S. Case No. 50 of 2024 .

(Prabhat Kumar Singh, J)

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